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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF WASHINGTON**

5 KEITH JAYSON SPARROW,

6 Plaintiff,

7 vs.

8 COMMISSIONER OF SOCIAL

9 SECURITY,

10 Defendant.

No. 1:16-CV-03032-FVS

ORDER ADOPTING REPORT AND
RECOMMENDATION TO GRANT
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT AND
DENY DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT

ECF Nos. 15, 18, 23

11 **BEFORE THE COURT** is the Report and Recommendation issued by
12 Magistrate Judge Mary K. Dimke on August 30, 2017, ECF No. 23, recommending
13 Plaintiff's Motion for Summary Judgment, ECF No. 15, be granted and
14 Defendant's Motion for Summary Judgment, ECF No. 18, be denied. No
15 objection was filed. After review, the Court hereby adopts the Report and
16 Recommendation in its entirety. Accordingly, **IT IS ORDERED:**

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18 1. The Report and Recommendation, **ECF No. 23**, is **ADOPTED** in its
19 entirety.

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- - ORDER ADOPTING REPORT AND RECOMMENDATION TO DENY
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANT
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT ~ 1

1 2. Plaintiff's Motion for Summary Judgment, **ECF No. 15**, is
2 **GRANTED.**

3 3. Defendant's Motion for Summary Judgment, **ECF No. 18**, is
4 **DENIED.**

5 4. An application for attorney fees may be filed by separate motion.

6 The District Court Executive is directed to file this Order and forward copies
7 to the parties. Judgment shall be entered for Plaintiff and the file shall be **CLOSED.**

8
9 DATED September 25, 2017.

10 s/Fred Van Sickle
11 Fred Van Sickle
 Senior United States District Judge